

REMARKS

In response to the Office Action of January 20, 2006, Applicants amended claims 1, 21 and 30. Claims 1-5, 21-22, and 25-32 are presented for examination.¹

Claims 1-5, 21-22, and 25-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Breault, U.S. Patent No. 4,017,663 ("Breault").

As amended, claims 1-5, 21-22, and 25-32 cover compositions that include a catalyst and a non-electrolytic material that form a mechanically bonded mixture.

Breault does not disclose or suggest such compositions. Instead, Breault discloses a process in which a coated carbon paper is impregnated with a perfluorinated ethylene propylene copolymer, and a catalyst-polymer layer is then applied to the impregnated carbon paper. (See, e.g., Breault, col. 2, line 54 through col. 3, line 9). Such a process simply does not result in a composition that includes a catalyst and a non-electrolytic material that form a mechanically bonded mixture, as required by claims 1-5, 21-22, and 25-32.

Further, one skilled in the art would not have been motivated to modify Breault's process to result in a composition covered by claims 1-5, 21-22, and 25-32, at least because Breault discloses that the improvements achieved by his electrodes are due in part to impregnating his coated carbon paper. (Id., col. 1, lines 59-65 and col. 2, lines 14-19).

In view of the foregoing, Applicants request reconsideration and withdrawal of the rejection of claims 1-5, 21-22, and 25-32.

Applicants believe the application is currently in condition for allowance, which action is requested. Please apply any charges or credits to deposit account 06-1050.

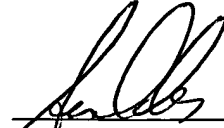
¹ Support for the amendment to claims 1 and 21 is provided in the application as originally filed at, for example, page 8, lines 17-18.

Applicant : Prathap Haridoss et al.
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Respectfully submitted,

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Sean P. Daley
Reg. No. 40,978

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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